

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

February 15, 2006

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Conference Rooms C and D, Richmond, with the following members present:

Dr. Mark E. Emblidge, Vice President
Mrs. Isis M. Castro
Mr. David L. Johnson
Dr. Gary L. Jones

Mr. Andrew J. Rotherham
Mrs. Eleanor B. Saslaw
Dr. Ella P. Ward

Dr. Patricia I. Wright, Acting
Superintendent of Public Instruction

Dr. Emblidge, vice president, called the meeting to order at 9:17 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Mr. David Johnson asked for a moment of silence in memory of the passing of Mr. Harry L. Smith. Mr. Smith was a loyal employee of the Department of Education and made many contributions to the department and to education in the Commonwealth. After a moment of silence, Mrs. Castro led in the Pledge of Allegiance.

ELECTION OF THE OFFICE OF PRESIDENT OF THE BOARD OF EDUCATION

Dr. Emblidge announced that the floor was open for nominations for the office of president of the Board of Education. Dr. Ward made a motion to nominate Dr. Emblidge as president of the Board of Education. The motion was seconded by Mrs. Castro and carried unanimously. Dr. Emblidge called for any additional nominations. There being none, the Board voted unanimously to close the nominations. Dr. Emblidge called for the roll call vote for the office of president. The Board's roll call:

Mr. Johnson – Yes
Dr. Ward – Yes
Dr. Jones – Yes
Mr. Rotherham – Yes

Mrs. Saslaw – Yes
Mrs. Castro – Yes
Dr. Emblidge – Yes

After the vote, Dr. Emblidge, the newly elected president, presided at the meeting.

ELECTION OF THE OFFICE OF VICE PRESIDENT OF THE BOARD OF EDUCATION

Dr. Emblidge announced that the floor was open for nominations for the office of vice president of the Board of Education. Mrs. Saslaw made a motion to nominate Dr. Ward as vice president. The motion was seconded by Mrs. Castro and carried unanimously. Dr. Emblidge called for any additional nominations. There being none, the Board voted unanimously to close the nominations. Dr. Emblidge called for the roll call vote for Dr. Ward for the office of vice president. The Board's roll call:

Mr. Rotherham – Yes	Dr. Ward – Yes
Mrs. Saslaw – Yes	Mr. Johnson – Yes
Mrs. Castro – Yes	Dr. Emblidge – Yes
Dr. Jones – Yes	

COMMENTS FROM PRESIDENT AND VICE PRESIDENT

Dr. Mark E. Emblidge, President

Dr. Emblidge thanked the Board for electing him to serve as its president. Dr. Emblidge congratulated Dr. Ward on being elected vice president. He thanked Governor Kaine for reappointing him to the State Board of Education and said that he is looking forward to working with the Board to improve education for all the children in the Commonwealth.

Dr. Ella P. Ward, Vice President

Dr. Ward thanked Board members for the confidence they have placed in her to serve as vice president. Dr. Ward said she is looking forward to working with Dr. Emblidge and the other Board members to promote education in the state of Virginia. Dr. Ward thanked Governor Warner for appointing her and the other current members to the State Board of Education.

APPROVAL OF MINUTES

Dr. Ward made a motion to approve the minutes of the January 11, 2006, meeting of the Board. The motion was seconded by Dr. Jones and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RECOGNITION

Dr. Emblidge introduced Virginia's 2006 Regional Teachers of the Year and the Virginia Teacher of the Year. Each received a state flag to be flown in honor of all public school teachers in Virginia. They are as follows:

Region I - Donald M. Felice, Manchester Middle School, Chesterfield County
Region II - Mary E. McAllister, Mary Peake Center, Hampton City
Region IV - Stephen R. Scholla, Oakton High School, Fairfax County
Region V - Carla J. Hunt, Albemarle High School, Albemarle County
Region VI - Thomas F. Fitzpatrick, Breckinridge Middle School, Roanoke City
Region VII - Linda Fowler Davis, St. Paul School, Carroll County
Region VIII - Deborah T. Ketchum, Randolph-Henry High School, Charlotte County
Virginia's 2006 Teacher of the Year (representing Region III) - Deborah S. Goforth,
Courtland Elementary School, Spotsylvania County

APPROVAL OF AGENDA

Mrs. Saslaw made a motion to add the following item to the agenda: *First Review of a Request from Charlottesville City School Board for the Virginia Board of Education to Ratify and Appoint the School Division Superintendent Pursuant to Section 22.1-60 and 22.1-61 of the Code of Virginia.* The motion was seconded by Dr. Ward and carried unanimously.

PUBLIC COMMENT

The following persons spoke during public comment:

Etta Jane Hall	Thomas M. Berry, Jr.
Tim Moore	Tina Lambert
Linda Moore	Mark Hubbard
Angela Ciolfi	Linwood Christian

A letter from Senator H. Russell Potts, Jr. was read during the public comment. Senator Potts was unable to attend the meeting.

ACTION/DISCUSSION ON BOARD OF EDUCATION REGULATIONS

First Review of Proposed Revisions to the Regulations Governing Secondary School Transcripts (8VAC 20-160-10 et seq.)

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger said that the Board of Education is authorized to promulgate regulations pursuant to §22.1-16 of the *Code of Virginia*. The last revisions to the *Regulations Governing Secondary School Transcripts* were made by the Board in 2001.

Dr. Wallinger discussed the following proposed changes to the secondary school transcript regulations:

1. Changes to the definitions section to provide clarity and to ensure that terms are defined in the same manner as other Board of Education regulations.
2. Revision of the effective date of the regulations.

3. Revision(s) and additions to the information required on the transcript.
4. Revision(s) to the required information on the profile data sheet.
5. Revision of sections concerning the weighting of advanced-level courses to ensure that they comport with other state requirements.

Mrs. Saslaw made a motion to waive first review and authorize staff of the Department of Education to proceed with the requirements of the Administrative Process Act and authorize staff to make technical or typographic changes as necessary. The motion was seconded by Mrs. Castro and carried unanimously.

Report from the Board of Education's 2005-2006 Student Advisory Committee

Mrs. Castro and Mrs. Saslaw presented this item. Members of the 2005-2006 Student Advisory Committee were selected from more than 100 nominations received in October 2005 from the public middle and high schools across the state. Mrs. Castro and Mrs. Saslaw introduced each new member to the Board.

During the first meeting in December 2005, the members of the Student Advisory Committee discussed a broad spectrum of issues and concerns for students in the public schools across the state. The students identified three priority issues for further study. The committee was divided into three study groups, as follows:

- Issue: Conflict Resolution and Peer Mediation Programs
Group Members:
Carlie Fogleman, Lebanon High School, Russell County
Jennifer Deskins, Bruton High School, York County
Adrian Lehnen, George Washington Middle School, Alexandria City
Dion Quick, Hugo Owens Middle School, Chesapeake City
- Issue: Expansion of Internships and Job-Shadowing Opportunities, and Financial Management
Group Members:
Michel Burt, Hidden Valley High School, Roanoke County
Christina Azimi, James W. Robinson Jr. Secondary School, Fairfax County
Vincent Feucht, West Point High School, Town of West Point
Stacey LaRiviere, Bailey Bridge Middle School, Chesterfield County
- Issue: Spirit of the Commonwealth Award
Group Members:
Alexandra Whitehead, Staunton River High School, Bedford County
Victoria Artis, Daniel Morgan Middle School, Winchester City
Taikein Cooper, Prince Edward High School, Prince Edward County
Franklin Tennyson, Hermitage High School, Henrico County

A spokesperson for each group presented a brief summary of the work to date. The committee's findings and recommendations will be presented at the April meeting of the Board of Education.

First Review of Proposed Amendments to Virginia's Consolidated State Application Accountability Plan Under the No Child Left Behind Act of 2001

Dr. Wallinger and Mrs. Shelley Loving-Ryder, assistant superintendent for assessment and reporting, presented this item. Dr. Wallinger said that the *No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application. In May 2002, the Virginia Board of Education submitted and received USED approval for its initial Consolidated State Application under the NCLB law. The NCLB application process involves multiple submissions of information, data, and policies.

Dr. Wallinger and Mrs. Loving-Ryder discussed Virginia's proposed amendments that fall under the following seven major areas: (1) reversing the order of the school choice and supplemental educational services (SES) sanctions; (2) targeting choice and SES only to the subgroup and individual students not making AYP; (3) identifying for improvement only those schools that fail to make AYP for two consecutive years in the same subject and subgroup; (4) including the passing scores of all retests of SOL assessments required for graduation in the calculation of AYP; (5) including test scores from only certain grade levels in the 2006-2007 AYP performance calculation for subgroups; (6) extending flexibility in AYP calculation policies for students with disabilities; and (7) modifying testing and AYP calculation policies for limited English proficient (LEP) students.

Dr. Ward made a motion to accept for first review the proposed amendments to the Virginia Consolidated State Application Accountability Plan as permitted in Section 9401 of the federal law. The motion was seconded by Mrs. Castro and carried unanimously. The proposed amendments will be presented for final adoption at the April meeting of the Board of Education.

First Review of a Recommendation of the Advisory Board on Teacher Education and Licensure to Grant Continuing Program Approval to the University of Mary Washington and Sweet Briar College

Dr. Thomas Elliott, assistant superintendent, division of teacher education, licensure and professional practice, presented this item. Dr. Elliott said that the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education* require colleges and universities that offer programs for the preparation of professional educators to obtain continuing program approval from the Board of Education.

Dr. Elliott said that the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education* define the standards that must be met and the review procedures that must be followed to obtain and maintain Board approval. The regulations currently provide three options for the review of teacher education programs: 1) the state review process for which the college or university must meet the standards established by Board of Education regulations; 2) the National Council for the Accreditation of Teacher Education (NCATE) process for which the college or university must meet the NCATE standards and the board's teaching area requirements; 3) the Teacher Education Accreditation Council (TEAC) process for which the college or university must produce an *Inquiry Brief* and supporting evidence that its program prepares competent, caring, qualified professional educators. In all three, the institution hosts an on-site visit by a team of trained reviewers who develop a report of findings in which a recommendation is made with regard to the status of the program as approval for continued full accreditation, approval with stipulations, or program denial.

Following is a summary of the review of visits at University of Mary Washington and Sweet Briar College:

University of Mary Washington

The review of the University of Mary Washington undergraduate and graduate programs for teacher preparation was conducted March 13-16, 2005, in accordance with the standards and procedures outlined in the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*. This was the first review conducted under these regulations. Dr. Randy Cromwell served as chair of the on-site review team.

The team recommendation for the University of Mary Washington teacher preparation program is to award "fully approved" status. As defined in the approved program regulations, a recommendation of approved is made when the professional education program and the endorsement areas are considered satisfactory. The review team cited all 20 standards as being met. A weakness was cited under Standard 10 which relates to the admission of candidates. Although UMW has made extensive efforts to recruit qualified teachers, there was no evidence of a measurable plan for recruiting, admitting, or retaining candidates of diverse backgrounds in the graduate programs.

Sweet Briar College

The review of the Sweet Briar College teacher preparation program was conducted April 17-20, 2005, in accordance with the standards and procedures outlined in the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*. This was the first review conducted under these regulations. Dr. Jayne Sullivan of Virginia Wesleyan College served as chair of the on-site review team.

The team recommendation for Sweet Briar College teacher preparation program is to award "fully approved" status. All applicable standards were met.

Following the review team visits, the Advisory Board for Teacher Education and Licensure reviewed the teams' recommendations. ABTEL voted to endorse the review teams' recommendations to award "fully approved" status to each institution.

Dr. Jones made a motion to waive first review and approve the ABTEL recommendation to grant continuing programs approval to the University of Mary Washington and Sweet Briar College. The motion was seconded by Dr. Ward and carried unanimously.

First Review of a Recommendation of the Advisory Board on Teacher Education and Licensure to Establish Cut Scores for the Virginia Communication and Literacy Assessment

Dr. Elliott also presented this item. Dr. Elliott introduced Dr. John Mattar, senior area director for assessment service department, National Evaluation Systems, Inc.

Dr. Elliott presented the following background information to the Board:

On March 23, 2005, the Virginia Board of Education approved the establishment of a *Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments*. The committee was charged with the responsibility of examining the use of teacher licensure assessments in Virginia and other states and make recommendations to the Board of Education. The committee's work included, but was not limited to, an examination of appropriate sections of the *Code* including regulations governing licensure of teachers; the federal requirements regarding teacher quality; the use of teacher licensure assessments in other states; and options for using various teacher licensure assessments in the preparation and licensing of teachers.

The *Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments* was established and included representation from the Board of Education, Virginia General Assembly, Advisory Board on Teacher Education and Licensure, the Virginia Congress of Parents and Teachers, the Virginia Education Association, the State Council of Higher Education for Virginia, institutions of higher education with approved teacher education programs, school division superintendents, school principals, and school division human resources directors. The committee held four meetings and received presentations on national and state perspectives on teacher education and licensure assessments and engaged in discussions with presenters.

During the May 10, 2005, meeting the committee unanimously approved the following recommendation and implementation requirements to be submitted to the Board of Education for review and action:

The *Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments* recommended that the Board of Education prescribe the following professional teacher's examinations for initial licensure in Virginia: (1) Literacy and Communication

Skills Assessment; (2) Praxis II (content assessment); and (3) if applicable, the Virginia Reading Assessment.

On June 22, 2005, the Board of Education approved the recommendation of *The Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments*.

An award was granted to National Evaluation Systems, Inc., to develop the Virginia Communication and Literacy Assessment. The VCLA is composed of two areas—reading and writing. Each area is assessed by a separate subtest—a reading subtest and a writing subtest. The reading subtest contains multiple-choice items. The writing subtest contains multiple-choice items and two writing assignments—a written summary and a written composition. Areas tested include the comprehension and analysis of readings; development of ideas in essay form on specific topics; outlining and summarizing; interpretation of tables and graphs; and mastery of vocabulary, grammar, and mechanics. The first test administration was held statewide on January 7, 2006.

A Validation and Standard-Setting Study was conducted on January 20, 2006. The study, facilitated by staff from the National Evaluation Systems, Inc., was composed primarily of teachers as well as central office school division and higher education representation.

On February 6, 2006, the Advisory Board on Teacher Education and Licensure received a presentation on the Validation and Standard-Setting Studies from Dr. John Mattar, Senior Area Director, Assessment Service Department, National Evaluation Systems, Inc. The advisory board passed a motion recommending the following cut scores for the VCLA. An individual may meet the requirement by meeting the individual scaled scores on the reading and writing subtests or meeting the composite score.

Reading: 235 scaled score
Writing: 235 scaled score
Composite: 470 scaled score

The members of the advisory board further recommended that the cut scores be re-examined in two years based on data from test takers. The advisory board made the recommendation based on several factors, including that the VCLA is a new test and the test data from the January 7 administration may not be representative of the population who will be required to take the test. In addition, colleges and universities may need to adjust their curricula to focus on the objectives of the test.

Dr. Ward made a motion to receive for first review the recommendation of the Advisory Board on Teacher Education and Licensure to establish cut scores for the Virginia Communication and Literacy Assessment (VCLA). The motion was seconded by Mrs. Saslaw and carried unanimously. This matter will be presented for final action at the April meeting.

First Review of the Proposed Procedure for Appointment of a School Division Superintendent by the Virginia Board of Education Pursuant to Section 22.1-60 and 22.1-61 of the Code of Virginia

Dr. Elliott also presented this item. Dr. Elliott said that the *Code of Virginia* provides the following requirements in the appointment of a school division superintendent by the Virginia Board of Education:

§ 22.1-60. Appointment and term of superintendent; certain contractual matters

- A. The division superintendent of schools shall be appointed by the school board of the division from the entire list of eligibles certified by the State Board. All contract terms for superintendents shall expire on June 30. The division superintendent shall serve for an initial term of not less than two years nor more than four years. At the expiration of the initial term, the division superintendent shall be eligible to hold office for the term specified by the employing school board, not to exceed four years.

The division superintendent shall be appointed by the school board within 180 days after a vacancy occurs. In the event a school board appoints a division superintendent in accordance with the provisions of this section and the appointee seeks and is granted release from such appointment prior to assuming office, the school board shall be granted a 60-day period from the time of release within which to make another appointment.

A school board that has not appointed a superintendent within 120 days of a vacancy shall submit a written report to the Superintendent of Public Instruction demonstrating its timely efforts to make an appointment.

- B. No school board shall renegotiate a superintendent's contract during the period following the election or appointment of new members and the date such members are qualified and assume office.
- C. Whenever a superintendent's contract is being renegotiated, all members of the school board shall be notified at least 30 days in advance of any meeting at which a vote is planned on the renegotiated contract unless the members agree unanimously to take the vote without the 30 days notice. Each member's vote on the renegotiated contract shall be recorded in the minutes of the meeting. (Code 1950, §§ 22-32, 22-33; 1954, c. 638; 1958, c. 44; 1970, c. 155; 1971, Ex. Sess., c. 225; 1972, c. 434; 1980, c. 559; 1983, c. 145; 1989, c. 550; 1992, c. 164; 1996, c. 759; 2002, cc. 165, 374; 2003, c. 866.)

§ 22.1-61. When Board to appoint superintendent

In the event that a school board fails to appoint a division superintendent within the time prescribed by § 22.1-60, the State Board shall appoint such division superintendent. (Code 1950, § 22-33; 1954, c. 638; 1972, c. 434; 1980, c. 559.)

Dr. Elliott briefly reviewed the following proposed procedures to the Board:

**Proposed Procedure for Appointment of a
School Division Superintendent by the Virginia Board of Education**

In the event that a school board fails to appoint a division superintendent within the time prescribed by Sections 22.1-60 and 22-1-61 of the *Code of Virginia*, the Virginia Board of Education shall appoint the division superintendent. The proposed procedures for the appointment of such division superintendent by the Virginia Board of Education shall be as follows:

1. An individual appointed as a division superintendent must hold a valid division superintendent license issued by the Virginia Board of Education prior to the appointment.
2. The Virginia Board of Education shall appoint the division superintendent if the school board has not appointed the division superintendent within 180 (calendar) days after a vacancy occurs. However, in the event a school board appoints a division superintendent in accordance with the provisions of Section 22.1-60 of the *Code of Virginia* and the appointee seeks and is granted release from such appointment prior to assuming office, the school board shall be granted a 60-day period (calendar days) from the time of release within which to make another appointment.
3. A school board that has not appointed a superintendent within 120 (calendar) days of a vacancy shall submit a written report, containing at least a status report with a timeline for making the appointment prior to 180 (calendar) days, to the Superintendent of Public Instruction demonstrating its timely efforts to make an appointment.
4. The school board immediately shall notify the Virginia Board of Education, in writing, of its failure to appoint a division superintendent within the time prescribed by Section 22.1-60 of the *Code of Virginia*. Within 30 days after the time prescribed by Section 22.1-60 of the *Code of Virginia* for the local school board to appoint the division superintendent, the school board must submit in writing its preferred candidates, not to exceed three, for the division superintendent position. The Virginia Board of Education may consider these candidates and other eligible individuals. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division superintendent.
5. The Virginia Board of Education shall appoint a division superintendent, and the contract for the superintendent shall be negotiated by the school board.
6. The Board of Education shall appoint the school division superintendent for an initial term of not less than two years or more than four years (contract periods).

Dr. Jones made a motion to receive for first review the proposed procedures for the appointment of a school division superintendent by the Virginia Board of Education. The motion was seconded by Dr. Ward and carried unanimously. The proposed procedures will be presented at the March meeting.

Final Review of a Proposal to Revise the Accreditation Guidelines to Clarify the Pass Rates Required for the New Reading and Mathematics Tests at Grades 4, 6, and 7 in the 2006-2007 Accreditation Ratings

Mrs. Shelley Loving-Ryder presented this item. Mrs. Loving-Ryder said that in the 2005-2006 school year, new tests in reading and mathematics are being administered in grades 4, 6, and 7 to meet the requirements of the federal *No Child Left Behind Act of*

2001. As the current *Regulations Establishing Standards for Accrediting Public Schools in Virginia* do not specifically address the calculation of accreditation ratings using these tests, clarification as to the pass rates that are required for full accreditation is needed. Mrs. Loving-Ryder briefly reviewed the proposed clarifying language.

Dr. Ward made a motion to adopt the proposed clarification in calculating the 2006-2007 accreditation ratings. The pass rates required for the reading and mathematics tests in grades 4, 6, and 7 for full accreditation will be 70 percent. Alternatively, in schools that include students who have taken a third-or fifth-grade reading test as well as those who have taken a reading test in grades 4, 6, or 7, the scores of all English tests taken in the school may be combined and the resulting pass rate tested against the 75 percent benchmark. The motion was seconded by Mr. Johnson and carried unanimously.

The additions to the *Guidelines Governing Regulations Establishing Standards for Accrediting Public Schools in Virginia* were adopted as follows:

Additions to the *Guidelines Governing Regulations Establishing Standards for Accrediting Public Schools in Virginia*

Standard 8 VAC 20-131-300. Application of the standards.

Section C. Accreditation ratings defined.

1. Fully accredited

A school will be rated Fully Accredited when its eligible students meet the pass rate of 70% in each of the four content areas except, effective with ratings earned in the 2003-2004 academic year and beyond, the pass rates required shall be 75% in third- and fifth-grade English and 50% in third-grade science and history/social science. In schools housing grades kindergarten through grade five, the English and mathematics pass rates for accreditation purposes shall be calculated for these grades as single pass rates by combining the scores of all grades three and five SOL tests administered in English and by combining the scores of all grades three and five SOL tests administered in mathematics.

Guidelines

Scores from the reading and mathematics tests administered in grades 4, 6, and 7 will be included in the accreditation ratings of schools administering these tests. The pass rates required for these tests for full accreditation will be 70%. Alternatively, full accreditation may be achieved by combining the scores for the reading tests in grades 4, 6, 7, 8, and end-of-course with the scores for the reading tests at grades 3 and 5 and the writing tests at grades 5, 8, or high school if the resulting combined pass rate meets or exceeds the 75% pass rate required for third- and fifth-grade English.

First Review of a Request from Charlottesville City School Board for the Virginia Board of Education to Ratify and Appoint the School Division Superintendent Pursuant to Section 22.1-60 and 22.1-61 of the Code of Virginia

Dr. Thomas Elliott presented this item. Dr. Elliott said that the chair of the Charlottesville City School Board informed the Department of Education that it would go beyond the statutorily mandated limit of 180 days to appoint a superintendent. The Department of Education informed the Charlottesville City School Board that it does not have the authority to grant an extension. The appointment was made a few days after the 180-day period expired. The vacancy occurred in July 2005 and the appointment should have been made in January 2006. The school board has notified the department that the selection process is now complete and a new superintendent has been selected.

Mr. Rotherham made a motion to ratify the appointment by the Charlottesville City School Board and appoint Ms. Rosa S. Atkins as the division superintendent of Charlottesville City Schools. The motion was seconded by Dr. Ward and carried unanimously. Ms. Atkins has an active division superintendent license and worked as the assistant superintendent of Caroline County Schools for the last two years. She also worked for the Henrico County and Richmond City School divisions.

DISCUSSION OF CURRENT ISSUES

Dr. Emblidge recognized Deputy Secretary of Education, Judith E. Heiman and Assistant Secretary of Education, Douglas Garcia, who were in the audience.

ADJOURNMENT

There being no further business of the Board of Education and Career and Technical Education, Dr. Emblidge adjourned the meeting at 11:10 a.m.

President

Secretary